

1 ANASTASIA P. BODEN, No. 281911
Email: ABoden@pacificlegal.org
2 JOSHUA P. THOMPSON, No. 250955
Email: JThompson@pacificlegal.org
3 DANIEL M. ORTNER, No. 329866
Email: DOrtner@pacificlegal.org
4 Pacific Legal Foundation
5 555 Capitol Mall, Suite 1290
6 Sacramento, California 95814
7 Telephone: (916) 419-7111
Facsimile: (916) 419-7747

8 *Attorneys for Plaintiff*

9 UNITED STATES DISTRICT COURT
10 EASTERN DISTRICT OF CALIFORNIA

11 NATIONAL CENTER FOR PUBLIC
12 POLICY RESEARCH,

13 Plaintiff,

14 v.

15 SHIRLEY N. WEBER, in her official
16 capacity as Secretary of State of the State of
17 California,

18 Defendant.

No. 2:21-cv-02168-JAM-AC

**REQUEST FOR VOLUNTARY
DISMISSAL AND AN ENTRY OF
JUDGMENT**

19 Pursuant to Rule 41(a)(2), Plaintiff, National Center for Public Policy Research
20 seeks to voluntarily dismiss its claims against AB 979—California’s race and sexual
21 orientation quotas—with prejudice. Plaintiff does not intend amend its complaint to
22 add an as-applied challenge to SB 826—California’s woman quota—and instead plans
23 to immediately appeal the Court’s decision dismissing its facial challenge to SB 826.
24 Plaintiff, therefore, requests dismissal of its claims against AB 979 with prejudice and
25 the immediate entry of a final judgment pursuant to Rule 58(b) so that it may appeal
26 the dismissal of its facial claim against SB 826. Defendant does not oppose this
27 request.

28 *Request for Voluntary Dismissal and an Entry of Judgment*

1 DATED: May 17, 2022.

2 Respectfully submitted,

3 By: /s/ANASTASIA P. BODEN
4 ANASTASIA P. BODEN

5 JOSHUA P. THOMPSON
6 DANIEL M. ORTNER
7 Pacific Legal Foundation
8 555 Capitol Mall, Suite 1290
9 Sacramento, California 95814
10 Telephone: (916) 419-7111
11 Facsimile: (916) 419-7747
12 ABoden@pacificlegal.org
13 JThompson@pacificlegal.org
14 DOrtner@pacificlegal.org

15 *Attorneys for Plaintiff National Center for*
16 *Public Policy Research*